

REMARKS/ARGUMENTS

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. By this amendment, claim 1 has been amended. Thus, claims 1-12 are pending for further examination.

Claims 1-4, 6-9, and 11 stand rejected under 35 USC 102 as allegedly being anticipated by U.S. Patent No. 6,795,856 to Bunch. Claims 5, 10, and 12 stand rejected under 35 USC 103(a) as allegedly being obvious in view of Bunch. Without acquiescing to the of the rejections in the Office Action, Applicant has amended claim 1 to more patentably distinguish the invention defined by the claims from the prior art of record. Thus, reconsideration and withdrawal of this rejection are respectfully requested.

Bunch appears to disclose a system that utilizes a client-based module that monitors Internet access, which operates in conjunction with an enforcement supervisor located on a remote web server. Of critical importance to the techniques disclosed in Bunch is that “a client-based monitoring module performs all of the monitoring and logging activity” (abstract; see also col. 3, lines 14-15; col. 5, lines 61-65). This client-side monitoring system is part of each personal computer system in the company’s network (Figs. 1 and 2) – indeed, “[e]ach personal computer system has one client-side module that is less than one megabyte in size” (col. 5, lines 46-48), which performs “all the monitoring and logging work, [and] is responsible for intercepting universal resource link [(URL)] requests between an Internet browser and a network programming interface” (col. 5, lines 61-65). The intercepting is made possible through hook interface 40, which interacts with browser 36, as a part of personal computer system 12 (Fig. 3; col. 6, lines 24-67).

Applicant respectfully submits that amended independent claim 1 is not anticipated by Bunch. Amended independent claim 1 states that “the firewall log files provide information on activities attempting to pass through a firewall from and/or to a company computer”. Bunch requires a client-based monitoring module installed on computers within a company’s network to intercept information from a browser. The invention defined by the claims herein, however, gathers similar information by using a company’s firewall to directly build firewall log files. In sum, then, whereas Bunch’s invention requires client-based software to perform monitoring functions, the invention defined by the claims instead teaches that monitoring should be performed in, at, near, and/or by a firewall. Thus, Applicant respectfully submits that amended independent claim 1 is not anticipated by Bunch.

These differences are significant and important. For example, the techniques disclosed by Bunch require software installation for every computer within a company’s network. The present invention, however, gathers data based on “activities attempting to pass through a firewall from and/or to a company computer.” Thus, only one component in an existing network need be modified and/or added to render a system according to the present invention operational. Moreover, Bunch’s techniques work only with computers on which special client-based software is installed. The invention defined by the claims herein, however, has the potential to monitor all traffic from all devices accessing a network because firewall log files preferably reflect information captured in, at, near, and/or by a firewall. Moreover, Bunch teaches capturing only URL and URL-related information. The present invention, however, is capable of monitoring any communication over sockets, such as, for example, Internet usage, e-mail usage, dial-in usage, etc.

Applicant respectfully submits that dependent claims 2-4, 6-9, and 11 are allowable at least by virtue of their dependence on allowable, amended independent claim 1. Applicant also respectfully submits that dependent claims 5, 10, and 12 are allowable for substantially the same reasons as those set forth above.

In view of the foregoing remarks, Applicant believes that all of the pending claims clearly and patentably distinguish the prior art of record and are in condition for allowance. Thus, withdrawal of the rejection and passage of this case to issuance at an early date are earnestly solicited.

Should the Examiner have any questions, or deem that any further issues need to be addressed prior to allowance, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

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